



# The Seattle City Attorney's *Liaison Links*

Quarterly Connection to the People and  
Programs of your *Precinct Liaison*  
Offices

**North - East - West - South/Southwest**

*Summer 2003*

Please visit the Precinct Liaison web site:  
[www.cityofseattle.net/law/precinct\\_liaisons](http://www.cityofseattle.net/law/precinct_liaisons)

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### **CHERRY STREET ASSOCIATION "IN THE BEGINNING"**

*Contributed by SPD Officer Tim  
Greeley*

It was a dark and stormy night when I was transferred to the Community Police Team (CPT) in the Spring of 2000. Shortly afterwards, Captain Nick Metz became our precinct commander. His first assignment for me was to "clean up" 23<sup>rd</sup> and Union. Taking his lead, we formed a team of city and non-profit agencies with the goal of improving the livability at that intersection. We used Thompson's Point of View and their problems as our stimulus. To our knowledge such a team of people, city, non-profits, businesses, and residents had never come together before to accomplish a single task. After many months with many successes the group gave itself a name and became self-governed. So I asked myself "What next?" It didn't take me long to find my next project, Cherry Street. I couldn't figure out why my

phone wasn't ringing off the wall from the people who worked and lived there. What I discovered were years of failed efforts which led to overwhelming apathy.

In October of 2001, I brought together the same team. We'd been there and done that. After introducing the idea to the businesses and residents they were, at first, suspicious and reluctant to become involved. But after a few meetings they came on-board. For the first few months we did a lot of listening to long-time business owners and residents about the past failures by the city.

Assignments were made to different businesses, residents and city agencies. Because everyone held up their end, visible changes took place and a new community started to emerge.

At every meeting the goal of self-governing and community level crime prevention was restated. We needed to ensure

that all appropriate groups were represented, and intentions made clear. Blockwatch Captains, apartment building owners, business owners, and relevant city and non-profit agencies all participated. The purpose of the group was clearly communicated at every meeting: create effective partnerships between group members to address the overall livability of the Cherry Street corridor.

The first and most obvious problem was the street level drug dealing and associated loitering on and around the 2500 block of Cherry street. The new owner of Jordan's Grocery started a total remodel, which included suggested changes to the building made by Crime Prevention. La Louisiana, a new up-scale restaurant opened. There were new eyes on the street and the calls to 911 started to come in. The police department conducted numerous buy-bust operations based upon such complaints, and over time I was able to establish trusting relationships with the people on

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## **CHERRY STREET ASSOCIATION**

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the block (trusting enough that they weren't shy to point out a material witness to a murder).

In the winter of 2002, the group gave itself a name, "The Cherry Street Association" and appointed its first team leader, Frank Klingbeil. Just recently we were awarded a grant to help foster membership and attendance. The association takes the livability issue on Cherry Street very seriously, and will continue to work hard to make the neighborhood a nice place to work, live and play.

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## **NEIGHBORS TAKE CHARGE IN COMMUNITY PROBLEM SOLVING**

*Tuere Sala*

One of the most important parts of precinct liaison attorney's job is helping neighbors manage chronic nuisance situations. These situations occur when an owner's use of property unreasonably limits surrounding neighbors' ability to utilize and enjoy their property. These situations often become chronic problems and, if not checked, can easily go on for several years. Left unresolved, such situations are likely to result in the offending property owner becoming more and more isolated from the neighborhood, and surrounding neighbors feeling increasingly frustrated and victimized. However, there are ways to successfully address chronic nuisance situations.

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This article outlines two of them.

*Scenario #1:* Approximately two years ago a nightclub opened next to a residence whose owner lived there for more than 25 years. The resident's bedroom faced a side of the nightclub building comprised of floor-to-ceiling windows and two entry/exit doors. As the club grew in popularity, the resident experienced excessive loud noises due to patron activities and amplified music. This made it impossible for him to sleep during club business hours, 9 pm to 2 am, Thursday through Sunday. Throughout the following year and a half, the resident spoke with the club owners about the noise problem but they remained non-responsive or made numerous promises (not kept) to address the problem. He then reached out to SPD, DCLU and other city agencies for assistance. A noise meter, obtained from DCLU, aided in collecting data reflecting levels of the noise problem over a two-month period, and tape recordings supported this data. Shortly thereafter, the resident, club owners, a community police team officer and precinct liaison attorney met to discuss the club's responsibility to neighbors and criminal and civil penalties the club's owner risked by not addressing the noise problem. At the conclusion of the meeting an agreement was reached regarding specific physical changes the club owners would make to reduce sound and noise levels, including closing windows and redirecting music amplification. Although given three weeks to complete the

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changes, the owners completed their work within two weeks.

*Scenario #2:* Residents in a West Seattle neighborhood lived next to a very difficult rental property. Following the relocation of the property owners out of state, neighbors were plagued with excessive vehicle traffic day and night due to suspected drug activity, loud music from auto speakers, loud verbal altercations, the random discarding of trash and other waste (including appliances and garbage piled high for weeks at a time) and late-night loud parties. These problems affected residents within a two-block radius, and like our resident in scenario #1, they attempted communications with the now absentee landowners to correct the situation but nothing changed. The residents then began working with community police team officers, crime prevention coordinators and various other city agencies to address the varied problems. They documented the problems and prepared themselves to take all needed legal steps. A meeting between the neighboring and the absentee landowners was facilitated by a community police team officer and Tuere Sala, the precinct liaison attorney. Discussion centered around the landowner's responsibility to the community, the criminal and civil penalties the landowner was risking by not addressing the problems, and the type of assistance the residents could provide in protecting the landowner's property in their absence. At the conclusion of the meeting an agreement was

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## COMMUNITY PROBLEM SOLVING

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reached regarding specific steps the landowners would take to address the neighbor's concerns, including evicting the problem tenants. The landowners also agreed to hire a local management company, and leave the house vacant for 60 days to allow the possible drug traffic to dissipate.

The way these scenarios were resolved is impressive, and the relatively quick and amicable results are testament to how neighbors and property owners worked together as community members rather than adversaries. By utilizing the following guidelines, perhaps people in your community may come together to resolve similar nuisance property situations:

- 1) Residents remained diligent in their resolve to better their community
- 2) Residents kept documentation regarding the extent of the problems and their attempts to resolve the situation.
- 3) Residents worked with various city departments to resolve the situation
- 4) Residents met face-to-face with the offending property owners
- 5) The meeting was respectful, open and honest
- 6) Residents and the offending property owners were willing to listen to the concerns and interests of the other side
- 7) The city attorney's office and SPD were clear and

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straightforward about potential legal penalties, both civil and criminal, faced by the offending property owners

- 8) Offending property owners took responsibility for correcting the problems caused by the use of their property
- 9) Residents provided the offending property owner time to correct the problems
- 10) Offending property owners took effective steps to address the problems

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## NEW RESIDENTIAL NOISE DISTURBANCE ORDINANCE

*Phil Brennehan*

Beginning October 3, 2003, the city's new residential disturbance ordinance goes into effect. This ordinance will be another tool to regulate noise in residential neighborhoods and is designed to keep our neighborhoods quiet and peaceful during the evening hours when most residents are at home or are asleep.

Here are some frequently asked questions about the new ordinance.

### What is a Residential Disturbance Noise Violation?

\* It is unlawful for a person to knowingly allow real property under one's possession or control to be used for a residential disturbance. **SMC 25.08.505.**

\* A residential disturbance is

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"a gathering of more than one person at a residential property in a single family or residential zone between the hours of 10:00 p.m. (11:00 p.m. on Friday and Saturday nights) and 7:00 a.m. at which noise associated with the gathering is frequent, repetitive or continuous and is audible to a person of normal hearing at a distance of seventy five (75) feet or more from the property. **SMC 25.08.225.**

### What are the penalties for violating the ordinance?

\*For the first offense within a 24 hour period the penalty is a \$250.00 fine

\*A second violation of the law within a 24 hour period is a criminal misdemeanor, subject to penalties of six months in jail and a \$500 fine

Other public disturbance noises are regulated by SMC 25.08.500. You may browse such provisions online at <http://clerk.ci.seattle.wa.us/~public/codel.htm>. (At the Code Section Number prompt, enter "25.08.500").

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## ILLEGAL STREET VENDING

*Tamera Soukup*

Illegal street vending has been a persistent problem throughout the downtown corridor. West precinct police officers receive continuous complaints from community members and business owners about the vendors who camp on sidewalks

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## **STREET VENDING**

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and public rights-of-way illegally selling their wares. These vendors have proliferated in certain areas due to the warm, dry weather and the arrival of additional cruise ships at the port.

The vending consists of individuals selling anything from jewelry, t-shirts, artwork and imported knickknacks to services such as shoe shining. Some vendors display their wares on blankets while others use carts or walk from place to place. Some individuals are reportedly driving around hawking pizzas out of their cars at bar closing times. Problems have also arisen with food and flower vendors who have not obtained the appropriate permits and who create sidewalk congestion and loitering. Areas which have the highest number of illegal vendors include the Pike Place Market Hillclimb, the waterfront and the shopping district.

While a city ordinance prohibits vending in most parts of downtown, enforcement has been minimal due to Seattle Department of Transportation (SDOT) budget cuts. (Inspectors operate out of SDOT.) The vending ordinance provides for both civil enforcement—through the issuance of civil citations and fines—and criminal enforcement—misdemeanor prosecution.

Because of the increased activity, the Seattle police department will temporarily assist the SDOT inspectors in the enforcement of the vending code. West precinct captain Mike Sanford will assign at least one SPD officer to investigate illegal vending complaints and issue civil citations, as well as to initiate criminal investigations when appropriate. A violator will initially receive at least one citation before a criminal case is initiated. The penalty for the first violation is a \$150 fine. The penalty increases to \$500 for a second violation.

The vending ordinances are contained in Seattle municipal code section 15.17, and provide that it is unlawful to display or sell goods in a public place without a permit. The code also addresses mobile vending which includes walking, pushing a cart, or driving a car. Mobile vending is unlawful within certain city boundaries including the area north of Belltown to south of Pioneer Square, and from the downtown waterfront east to 8<sup>th</sup> Avenue. Under certain conditions, including the permission of the adjacent property owner, a street use permit may be obtained to sell food or flowers from a cart.

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### **SEVERAL BUSINESSES AGREE TO BE GOOD NEIGHBORS**

*Ed McKenna*

Neighborhood businesses can have an overwhelming impact on nearby residential areas,

especially if the business sells alcohol. Fortunately, because of concerns of their neighbors, three businesses in the East Precinct area recently agreed to be “good neighbors” by entering into agreements to mitigate potential problems.

Although each agreement is unique and specific to the business, both Richlen’s Mini Mart (220 East Union) and the Union Market (996 21<sup>st</sup> Avenue) agreed to cease selling certain types of alcohol, including high-alcohol content/low cost beer and fortified wine. In addition, the stores will limit the size of containers sold and will refrain from selling single cans or bottles of beer unless it is a specialty product. In addition, each store owner agreed not to sell “roses” or other devices commonly used to ingest narcotics. They will maintain the exterior of their buildings in an aesthetically pleasing manner and provide a conspicuous place on the premises for the posting of community flyers and information.

Meskel’s Ethiopian Restaurant (2605 East Cherry) also agreed to be a “good neighbor” by, among other things, limiting hours of alcohol sales, providing additional security personnel, and restricting noise from interior or exterior music. Although no future problems are anticipated, all three businesses agreed to work regularly with the community and police on crime reduction and prevention efforts. Their willingness to enter into these agreements is to be commended.

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## **MANAGING THE JUNGLE**

### ***Tuere Sala***

An interagency action team headed by Jordan Royer, Manager of the Neighborhood Action Team, has been formed to address growing community concerns surrounding the south Seattle green space commonly known as “the Jungle.” The Jungle covers a large area of land, however the action team has limited its focus to Jose Rizal Park between Beacon Hill and I-5 and I-90 south to Holgate Street, historically known for homeless encampments. Recently, the geography of both areas has become more of a focal point for criminal activity. The action team, formed in June, is comprised of representatives from the Department of Corrections, Seattle Public Utilities, Parks Department, Washington Department of Transportation, Seattle Department of Transportation, Seattle Neighborhood Group, Seattle Human Services Department, Seattle Police Department and City Attorney’s Office.

Preliminary discussions and fact gathering determined a noticeable and significant increase in theft, property damage, prostitution and drug activity. Jungle residents were known to arm themselves with knives, guns and other weapons, and officers considered the area extremely dangerous. Many from the area’s homeless population too afraid to return to

the area, particularly at night.

The action team developed several strategies to address the problem, some of which have already been implemented. SPD, Parks and DOC will work together to conduct four annual coordinated encampment “sweeps” to discourage camping in the area. The first sweep, conducted the week of August 25, utilized a “Spider” (logging machine) to clear brush and ground cover from steep slopes along Rizal Park and the off-leash area. SNG and SPD completed a general Crime Prevention through Environmental Design (CPTED) inspection of the park and surrounding private property adjacent to the Jungle, and will provide recommendations to enhance the visibility, manageability and security of both areas. Parks, WSDOT and SDOT have begun work on improving the access road through the Jungle, making it easier for officers to patrol the area on a regular basis. Finally, the action team and community members are exploring future alternative uses for the property.

While the efforts of the action team will likely not eliminate all transient activity within the Jungle, the hope and expectation of all involved is that efforts will go a long way toward creating a safer community by decreasing the level of criminal activity in the immediate area and throughout surrounding neighborhoods.

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## **CONTOUR CLUB SIGNS GOOD NEIGHBOR AGREEMENT**

### ***Tamera Soukup***

The Contour Club, located at 807 First Avenue, entered into a Community Good Neighbor Agreement with the City on Friday, September 5. Contour owner, Chris Ruthensteiner, signed the agreement after meeting numerous times with SPD and west precinct liaison attorney, Tamera Soukup, to try to alleviate recurring problems arising at the club’s closing time. Over the last three months, SPD officers responded numerous times to the Contour Club to handle large crowd disturbances which included assaults, fights, obstruction, and pedestrian and traffic interference. On several occasions more than nineteen officers were required to control the situation.

The new agreement addresses security measures and closing procedures that Contour will immediately implement. These include actively encouraging patrons to leave the premises in a quiet and peaceful manner, and taking steps to reduce/eliminate loitering outside the club. The agreement also requires that club employees attend training by the Washington State Liquor Control Board to recognize signs of intoxication and preventing over-service of alcohol.

One of the main problems at the club on Monday nights is intoxicated patrons congregating outside the establishment and at

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## **CONTOUR CLUB**

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an adjacent hot dog stand. Contour permitted the hot dog stand owner to operate at this location, and now the vendor is required to close his business early to help reduce loitering. At SPD's request, Contour signed a criminal trespass contract with SPD which will help enable officers to remove disorderly persons from the premises.

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## **MILLER PARK COMMUNITY WEB SITE A MODEL FOR EFFECTIVE COMMUNITY INFORMATION**

*Ed McKenna*

Just a few clicks through the Miller Park Neighborhood Association website is all it takes to observe an effective tool in community information sharing and communication. Thanks to Andrew Taylor, the Madison/Miller Park community has an incredible wealth of information available at their fingertips.

The web site originated when neighborhood residents and community activists sought a quick, cost-free way to communicate with area residents, church officials and city planners. Andrew Taylor, the chairperson of the Miller Park Neighborhood Association, met the challenge by developing a simple website by utilizing a free program offered on the Internet. Shortly thereafter, the

rapid redevelopment of the commercial area east of Madison Street lent itself to a new web page to gather data and information to help keep others informed. These two projects ultimately formed the basis of the site as it exists today. However, the site contains far more than just area redevelopment information. Browsers may explore such topics as public safety, events and meetings, transportation information, political information and candidate forums, DCLU information, and neighborhood planning and redevelopment. There are also numerous useful topics such as "How to get streetlights and potholes repaired," and "How to effectively ask the city to do something for you." Taylor also implemented a companion email distribution list designed to notify community members of important information and updates to the web site, which has grown to 200 subscribers.

The Miller Park Community website is a model for effective communication of information important to the community. If any awards are available, Andrew Taylor and his website should be considered. You can visit the Miller Park Community website at <http://home.jps.net/~tayles/>

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## **TARGETING YOUTH VIOLENCE IN THE SOUTH PRECINCT**

*Tuere Sala*

With the recent increase in

youth violence in southwest precinct communities, a youth violence prevention and action group formed to develop strategies to better utilize current violence prevention resources. On September 4, approximately thirty-five people from law enforcement, youth agencies, city departments, community action groups and area residents met in the heart of White Center. The meeting, which started at 11 pm, consisted of a walk-through of well known "hot spots" in the area. The event was extremely successful, providing valuable information to all those who participated regarding the difficulty of addressing high-crime areas at night.

Participants observed how lighting, visibility and environment play a dramatic role in the level of crime in a particular area. The group also gained an understanding of the often intractable affects of crime on an area, and the difficulties faced by law enforcement in such areas. During one week in August, King County sheriff deputies and SPD officers made nearly twenty arrests for drug related activity in the area. By early September, criminal activity remained high. Witnessing the impact of this dilemma first hand prompted many to discuss holding meetings at other "hot spots" around West Seattle. The group will meet again—during daylight hours—to discuss lessons learned and how to better apply this information to enhance their work with youth violence and prevention.

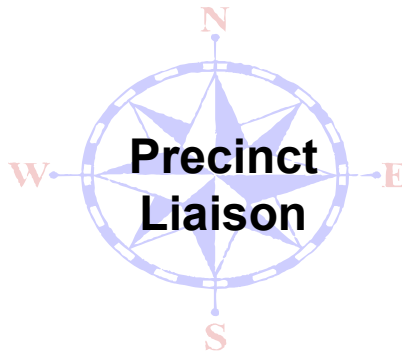
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